

REMARKS

In response to the Office Action dated June 14, 2005, Applicants respectfully request reconsideration based on the following remarks and amendments. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-8, 23 and 26 have been canceled to expedite prosecution. Such cancellation should not be construed as acquiescence in any rejections.

Claims 17-25, and 27-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application 2002/0063656 to Gutowski (hereinafter referred to as "Gutowski") in view of U.S. Patent 5,481,588 to Rickli et al. (hereinafter referred to as "Rickli"). Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gutowski in view of Rickli and further in view of U.S. Patent No. 6,201,803 to Munday et. Al (hereinafter referred to as "Munday"). Features of claim 26 have been incorporated into claim 17. Claim 17 is patentable over Gutowski in view of Rickli and Munday for the following reasons.

Claim 17 recites, *inter alia*, "wherein identifying the source of the received carrier includes decoding a Short Messaging Service (SMS) message of the received carrier, the SMS message providing a unique identifying code identifying a cell generating the received carrier signal with the unique identifying code." In the analysis of claim 26, the Examiner relies on Munday as teaching the use of SMS to transmit information from a cell tower. Munday, however, does not teach using SMS to transmit a unique identifying code identifying a cell generating the received carrier signal with the unique identifying code. In Munday, the SMS is disclosed as transmitting location information for multiple base stations for a mobile unit to calculate its positions (column 8, lines 50-63). Munday also discloses using SMS to pass a ciphering key to a mobile unit (column 9, lines 1-11). Munday does not teach using SMS to transmit a unique identifying code identifying a cell generating the received carrier signal with the unique identifying code. Thus, even if Gutowski, Rickli and Munday are combined, the features of claim 17 do not result.

For at least the above reasons, claim 17 is patentable over Gutowski, Rickli and Munday. Claims 18-28 variously depend from claim 17 and are patentable over Gutowski, Rickli and Munday for at least the reasons advanced with reference to claim 17. Claims

29, 33 and 36, as amended, recite similar features to those discussed above with reference to claim 17 and are patentable over Gutowski, Rickli and Munday for at least the reasons advanced with reference to claim 17. Claims 30-32 depend from claim 29 and are considered patentable for at least the same reasons advanced with reference to claim 29. Claims 34-35 depend from claim 33 and are considered patentable for at least the same reasons advanced with reference to claim 33. Claims 37-38 depend from claim 36 and are considered patentable for at least the same reasons advanced with reference to claim 36.

In view of the foregoing amendment and remarks, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

Date: March 22, 2006